UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ----X GEIS PROPERTIES, LLC,

Rev. May 2007

Plaintiff(s), ORDER FOR COURT CONFERENCE

-against-

08 Cv. 3911(CLB)(GAY)

SHELL OIL COMPANY,

Defendant(s). ----X

To: The Attorney(s) for Plaintiff(s)

Sufficient cause appearing, counsel for all parties herein shall attend a conference at the time and place fixed below, for the purpose of Case Management and scheduling pursuant to Rule 16, F.R. Civ. P.

## PLAINTIFF(S) ATTORNEY IS DIRECTED TO NOTIFY ALL ATTORNEYS IN THIS ACTION IN WRITING.

## DATE AND PLACE OF CONFERENCE:

FRIDAY, JUNE 27, 2008, AT THE UNITED STATES COURTHOUSE, WHITE PLAINS, NEW YORK, IN COURTROOM 218 AT 9:45 A.M.

## SUBJECTS FOR CONSIDERATION AT THE CONFERENCE:

- The Court will request from each attorney, beginning with Plaintiff's counsel, a brief oral statement reporting the status of the case, setting forth the factual and legal basis for the claims or defenses and outlining the nature of the dispute(s) to be adjudicated. Subject matter jurisdiction will be considered, as well as any other issue which may be relevant to case management.
- The Court will inquire whether the defense of qualified immunity from suit has been or will be asserted by any defendant(s) with respect to any claims(s) in the case.
- 3. In cases where Rule 26(f) F.R.Civ.P. applies, counsel for the parties shall confer in compliance therewith at least twentyone (21) days prior to the scheduled conference to agree upon a

proposed discovery plan which shall assure trial readiness within six (6) months of the date of the conference. If so advised, a written report generated pursuant to Rule 26(f) may be attached to and incorporated in the Court's Civil Case Discovery Plan and Scheduling Order. A longer period than six months to become ready for trial will be granted by the Court only after hearing counsel, and where the interests of Justice require. Please fill out the Court's form of Civil Case Discovery Plan and Scheduling Order by agreement of counsel and bring it with you to the Courthouse. Use of the official form is preferred. In the absence of an agreement, the Court will impose its own Civil Case Discovery Plan and Scheduling Order at the conference after hearing counsel.

4. Where there is written consent to trial before the Magistrate Judge, trial will be held on an agreed date certain, and the Magistrate Judge will prepare or amend the Civil Case Discovery Plan and Scheduling Order consistently with such date.

SO ORDERED.

Dated: White Plains, New York

May 7, 2008

Charles L. Brieant, U.S.D.J.

Charles L. Brigant

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK			Rev. January 2006
	ERTIES, LLC,	Plaintiff(s),	CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER
- agai	- against -		08 Civ. 3911 (CLB) (GAY)
SHELL OIL	COMPANY,		
		Defendant(s).	
		-	ady for trial on or after January 30, 2009.
	-	2	cheduling Order is adopted, after consultation 16 of the Federal Rules of Civil Procedure.
The case (is)	(is not) to be tried	to a jury.	
Joinder of ad	lditional parties mu	st be accomplished by _	
Amended ple	eadings may be file	d until	
Discovery:			
responses to	such interrogatories	ved by all counsel no late s shall be served within hall not) apply to this cas	er than, and thirty (30) days thereafter. The provisions of se.
2. First requ	est for production	of documents, if any, to	be served no later than
3. Deposition	ons to be completed	l by	·
a. b. c. d.	Unless counsel a until all parties h Depositions shall Whenever possil depositions shall If the defense of be asserted by ar for any such defe plaintiff(s) at lea Within thirty (30 Rule 6.1 and file	agree otherwise or the Conave responded to any firal proceed concurrently. The proceed concurrently below, unless counsel agreed follow party deposition qualified immunity from the process of the proce	ourt so orders, depositions are not to be held rst requests for production of documents.  e otherwise or the Court so orders, non-party as.  n suit as a matter of law has been or will pect to any claim(s) in the case, counsel nirty (30) days of this order depose elevant to the issue of qualified immunity. lant(s) shall serve consistent with Local 2(c) or Rule 56, returnable on a date posted in
			eant for hearing motions. The motion shall,

4.

and plaintiff(s) version of the events shall be assumed true for purposes of the motion. Failure to comply with this provision of this Order shall operate as a waiver of the opportunity to resolve the issue of qualified immunity by motion prior to trial.

4.	Any further interrogatories, including expert interrogatories, to be served no later than			
5.	Requests to Admit, if any to be served no later than			
6.	Additional provisions relating to discovery agreed upon by counsel for the parties (are) (are not) attached and made a part hereof.			
7.	All discovery is to be complete by			
must be	Dispositive motions, if any, must be served on notice as required by Local Civil Rule 6.1, and a returnable before the Court on a published motion day, no later than three weeks before the for trial date.			
	Next Case Management Conference  (This date will be set by the Court at the first conference)			
Court s	Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the o orders.			
	This case has been designated to the Hon. George A. Yanthis, United States Magistrate Judge te Plains for discovery disputes if the Court is "unavailable" and for trial under 28 U.S.C. § if counsel execute their consent in writing.			
	Strict compliance with the trial readiness date will be required. This Plan and Order may not need without leave of the Court or the assigned Magistrate Judge acting under a specific ce order.			
Judge v	Upon signing a Consent for Trial Before a United States Magistrate Judge, the Magistrate will establish an agreed date certain for trial and will amend this Plan and Order to provide for adiness consistent with that agreed date.			
	SO ORDERED.			
Dated:	White Plains, New York			
	Charles L. Brieant, U.S.D.J.			